UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

CIVIL ACTION NO. 3:13-CV-00393-FDW

DEBORAH M. BROWN,)
Plaintiff,)))
vs.) ORDER
CAROLYN W. COLVIN, Acting Commissioner of Social Security,))
Defendant.)))

THIS MATTER is before the Court upon the parties' Consent Motion for Attorney Fees. (Doc. No. 17). For the reasons that follow, the motion is GRANTED.

Pursuant to the power of this Court to award fees to a prevailing party other than the United States incurred by that party in a civil action against the United States, including proceedings for judicial review of agency action, under the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A), and in light of this Court's April 25, 2015, Order remanding this case to the Defendant Acting Commissioner for further administrative proceedings.

IT IS HEREBY ORDERED that the Court will award attorney fees in the amount of five thousand eight hundred fifteen dollars and eighty cents (\$5,815.80), provided, however, that the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine within 30 days of this Order whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the government will exercise its discretion and honor an assignment of EAJA fees, and pay the

awarded fees directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

IT IS SO ORDERED.

Signed: July 8, 2014

Frank D. Whitney

Chief United States District Judge